

# **APPENDIX A**

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

017753-128

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)

09/601,019

INTERNATIONAL APPLICATION NO.  
PCT/FR00/00065

INTERNATIONAL FILING DATE  
14 January 2000

PRIORITY DATE CLAIMED  
14 January 1999

TITLE OF INVENTION  
COMPOSITION FOR TREATING OBESITY AND ESTHETIC TREATMENT PROCESS

APPLICANT(S) FOR DO/EO/US  
Max ROMBI

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and the PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An executed oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:

An Information Disclosure Statement Transmittal Letter, a PTO Form 1449 with 3 references.

**DOCKETED**

filed 10/17/00

T3  
L.F.

(09/99)

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.50)  
09/601,019

INTERNATIONAL APPLICATION NO.  
PCT/FR00/00065

ATTORNEY'S DOCKET NUMBER  
017753-128

17. ☒ The following fees are submitted:

CALCULATIONS

PTO USE ONLY

**Basic National Fee (37 CFR 1.492(a)(1)-(5)):**

Search Report has been prepared by the EPO or JPO ..... \$840.00 (970)

International preliminary examination fee paid to USPTO (37 CFR 1.482) ..... \$670.00 (956)

No international preliminary examination fee paid to USPTO (37 CFR 1.482)  
but international search fee paid to USPTO (37 CFR 1.445(a)(2)) ..... \$690.00 (958)

Neither international preliminary examination fee (37 CFR 1.482) nor  
international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$970.00 (960)

International preliminary examination fee paid to USPTO (37 CFR 1.482)  
and all claims satisfied provisions of PCT Article 33(2)-(4) ..... \$96.00 (962)

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

\$

Surcharge of \$130.00 (154) for furnishing the oath or declaration later than  
months from the earliest claimed priority date (37 CFR 1.492(e)).

20 ☒ 30 ☐

\$

Claims	Number Filed	Number Extra	Rate
Total Claims	20 -20 =	-0-	X\$18.00 (966)
Independent Claims	3 -3 =	-0-	X\$78.00 (964)

Multiple dependent claim(s) (if applicable)

+ \$260.00 (968)

\$

**TOTAL OF ABOVE CALCULATIONS =**

\$ 130.00

Reduction for 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be  
filed. (Note 37 CFR 1.9, 1.27, 1.28).

\$

**SUBTOTAL =**

\$ 130.00

Processing fee of \$130.00 (156) for furnishing the English translation later than  
months from the earliest claimed priority date (37 CFR 1.492(f)).

20 ☐ 30 ☐

+

\$

**TOTAL NATIONAL FEE =**

\$ 130.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by  
an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 (581) per property +

\$

**TOTAL FEES ENCLOSED =**

\$ 130.00

Amount to be:  
refunded

\$

charged

\$

a. ☒ A check in the amount of \$ 130.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 02-4800 in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-4800. A duplicate copy of this sheet is enclosed.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Norman H. Stepno  
BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
P.O. Box 1404  
Alexandria, Virginia 22313-1404

SIGNATURE

Norman H. Stepno  
NAME

22,716

REGISTRATION NUMBER

Date: October 17, 2000

**COMBINED DECLARATION AND POWER OF ATTORNEY  
FOR UTILITY PATENT APPLICATION**

Attorney's Docket No.

017753-127

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I BELIEVE I AM THE ORIGINAL, FIRST AND SOLE INVENTOR (if only one name is listed below) OR AN ORIGINAL, FIRST AND JOINT INVENTOR (if more than one name is listed below) OF THE SUBJECT MATTER WHICH IS CLAIMED AND FOR WHICH A PATENT IS SOUGHT ON THE INVENTION ENTITLED:

**COMPOSITION FOR TREATING OBESITY AND ESTHETIC TREATMENT PROCESS**

the specification of which

(check one)

☐

is attached hereto;

☒

was filed on JANUARY 14, 2000 as

International Application No. PCT/FR00/00065

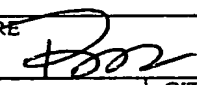
and was amended on \_\_\_\_\_;  
(if applicable)

I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE;

I ACKNOWLEDGE THE DUTY TO DISCLOSE TO THE OFFICE ALL INFORMATION KNOWN TO ME TO BE MATERIAL TO PATENTABILITY AS DEFINED IN TITLE 37, CODE OF FEDERAL REGULATIONS, Sec. 1.56 (as amended effective March 16, 1992);

I do not know and do not believe the said invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to said application; that said invention was not in public use or on sale in the United States of America more than one year prior to said application; that said invention has not been patented or made the subject of an inventor's certificate issued before the date of said application in any country foreign to the United States of America on any application filed by me or my legal representatives or assigns more than twelve months prior to said application;

I hereby claim foreign priority benefits under Title 35, United States Code Sec. 119 and/or Sec. 365 of any foreign application(s) for patent or inventor's certificate as indicated below and have also identified below any foreign application for patent or inventor's certificate on this invention having a filing date before that of the application(s) on which priority is claimed:

<b>COMBINED DECLARATION AND POWER OF ATTORNEY</b>			Attorney's Docket No. <b>017753-127</b>																																																																								
COUNTRY/INTERNATIONAL	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED																																																																								
<b>FRANCE</b>	<b>99/00328</b>	<b>14 JANUARY 1999</b>	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>																																																																								
			YES <input type="checkbox"/> NO <input type="checkbox"/>																																																																								
<p>I hereby appoint the following attorneys and agent(s) to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith and to file, prosecute and to transact all business in connection with international applications directed to said invention:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">William L. Mathis</td> <td style="width: 10%; text-align: right;">17,337</td> <td style="width: 33%;">Ralph L. Freeland, Jr.</td> <td style="width: 10%; text-align: right;">16,110</td> <td style="width: 33%;">William C. Rowland</td> <td style="width: 10%; text-align: right;">30,888</td> </tr> <tr> <td>Peter H. Smolka</td> <td style="text-align: right;">15,913</td> <td>Robert G. Mukai</td> <td style="text-align: right;">28,531</td> <td>T. Gene Dillahunt</td> <td style="text-align: right;">25,423</td> </tr> <tr> <td>Robert S. Swecker</td> <td style="text-align: right;">19,885</td> <td>George A. Hovanec, Jr.</td> <td style="text-align: right;">28,223</td> <td>Anthony W. Shaw</td> <td style="text-align: right;">30,104</td> </tr> <tr> <td>Platon N. Mandros</td> <td style="text-align: right;">22,124</td> <td>James A. LaBarre</td> <td style="text-align: right;">28,632</td> <td>Patrick C. Keane</td> <td style="text-align: right;">32,858</td> </tr> <tr> <td>Benton S. Duffert, Jr.</td> <td style="text-align: right;">22,030</td> <td>E. Joseph Gess</td> <td style="text-align: right;">28,510</td> <td>Bruce J. Boggs, Jr.</td> <td style="text-align: right;">32,344</td> </tr> <tr> <td>Joseph R. Magnone</td> <td style="text-align: right;">24,239</td> <td>R. Danny Huntington</td> <td style="text-align: right;">27,903</td> <td>William H. Benz</td> <td style="text-align: right;">25,952</td> </tr> <tr> <td>Norman H. Stepno</td> <td style="text-align: right;">22,716</td> <td>Eric H. Weisblatt</td> <td style="text-align: right;">30,505</td> <td>Peter K. Skiff</td> <td style="text-align: right;">31,917</td> </tr> <tr> <td>Ronald L. Grudziecki</td> <td style="text-align: right;">24,970</td> <td>James W. Peterson</td> <td style="text-align: right;">26,057</td> <td>Richard J. McGrath</td> <td style="text-align: right;">29,195</td> </tr> <tr> <td>Frederick G. Michaud, Jr.</td> <td style="text-align: right;">26,003</td> <td>Teresa Stanek Rea</td> <td style="text-align: right;">30,427</td> <td>Matthew L. Schneider</td> <td style="text-align: right;">32,814</td> </tr> <tr> <td>Alan E. Kopecki</td> <td style="text-align: right;">25,813</td> <td>Robert E. Krebs</td> <td style="text-align: right;">25,885</td> <td>Michael G. Savage</td> <td style="text-align: right;">32,596</td> </tr> <tr> <td>Regis E. Sluter</td> <td style="text-align: right;">26,999</td> <td>Robert M. Schulman</td> <td style="text-align: right;">31,196</td> <td>Gerald F. Swiss</td> <td style="text-align: right;">30,113</td> </tr> <tr> <td>Samuel C. Miller, III</td> <td style="text-align: right;">27,360</td> <td></td> <td></td> <td></td> <td></td> </tr> </table>				William L. Mathis	17,337	Ralph L. Freeland, Jr.	16,110	William C. Rowland	30,888	Peter H. Smolka	15,913	Robert G. Mukai	28,531	T. Gene Dillahunt	25,423	Robert S. Swecker	19,885	George A. Hovanec, Jr.	28,223	Anthony W. Shaw	30,104	Platon N. Mandros	22,124	James A. LaBarre	28,632	Patrick C. Keane	32,858	Benton S. Duffert, Jr.	22,030	E. Joseph Gess	28,510	Bruce J. Boggs, Jr.	32,344	Joseph R. Magnone	24,239	R. Danny Huntington	27,903	William H. Benz	25,952	Norman H. Stepno	22,716	Eric H. Weisblatt	30,505	Peter K. Skiff	31,917	Ronald L. Grudziecki	24,970	James W. Peterson	26,057	Richard J. McGrath	29,195	Frederick G. Michaud, Jr.	26,003	Teresa Stanek Rea	30,427	Matthew L. Schneider	32,814	Alan E. Kopecki	25,813	Robert E. Krebs	25,885	Michael G. Savage	32,596	Regis E. Sluter	26,999	Robert M. Schulman	31,196	Gerald F. Swiss	30,113	Samuel C. Miller, III	27,360				
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<p>and: _____</p> <p>Address all correspondence to: <b>Norman H. Stepno</b>  <b>Burns, Doane, Swecker &amp; Mathis, LLP</b>  <b>P.O. Box 1404</b>  <b>Alexandria, Virginia 22313-1404</b></p> <p>Address all telephone calls to: <u>Norman H. Stepno</u> at (703) 836-6620.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p>																																																																											
FULL NAME OF SOLE OR FIRST INVENTOR <b>ROMBI Max</b>		SIGNATURE 	DATE <b>July 24, 2000</b>																																																																								
RESIDENCE <b>BORDIGHERA, ITALY</b>		CITIZENSHIP <b>French</b>																																																																									
POST OFFICE ADDRESS <b>Via Degli Inglesi 49, BORDIGHERA 18022, ITALY</b>																																																																											
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